

TOWNSHIP COMMITTEE MEETING – FEBRUARY 25, 2008

7:30 PM MUNICIPAL BUILDING 770 COOPERTOWN ROAD, DELANCO NJ

ROLL CALL: Devinney, present; Fitzpatrick, present; Hinkle, present; Templeton, present; Ouellette, present

Also Present: Mr. Corcoran, Twp. Administrator; Mr. Kearns, Twp. Solicitor; Mrs. Lohr, Municipal Clerk; Mr. Goffredo, Code Enforcement Officer

SUNSHINE STATEMENT

Please be advised that proper notice of this meeting has been given in compliance with the Sunshine Law in the following manner. Written notice has been mailed to the Burlington County Times and the Courier Post and published in the January 7, 2008 editions. Written notice has been posted on the official bulletin board of the Township of Delanco at least 48 hours prior to the meeting.

FLAG SALUTE

Mayor Ouellette led the flag salute.

****SPECIAL PRESENTATION****

RESOLUTION 2008-40

HONORING COBY FRIER OF SURF & TURF POWER SPORTS

Mayor Ouellette tabled this until the March 3, 2008 Township Committee Meeting.

MEETING OPEN TO THE PUBLIC

Mayor Ouellette opened the meeting to the public

1. Frank Klare, 6 Russ Farm Way, questioned the budget status. Mr. Klare asked if there was a time line for the budget that is available to the public. Mayor Ouellette stated that the Township Committee plans to meet the next three Saturdays at 9:30AM at the Municipal Building.

MEETING CLOSED TO THE PUBLIC

Since there were no further comments or questions from the public, Mayor Ouellette closed the meeting to the public.

PRESENTATION – RYAN HOMES

COAH Obligation – Rivers Edge Development

Tracy Zebald, with Ballard, Spahr, Andrews & Ingersoll, and representing NVR/Ryan Homes. Ms. Zebald stated that she will be discussing the Rivers Edge Development. Ms. Zebald explained that the Rivers Edge project was approved by resolution that permitted Ryan Homes to build about 236 market rate units and 29 affordable units along with \$130,000 for 13 units. Ms. Zebald stated that 14 units were put aside to be age restricted. Ms. Zebald stated that Ryan Homes was having difficulty in getting any interest in those units. Ms. Zebald stated that they are here to discuss the 14 age restricted units and the phasing plan of these units. Ms. Zebald introduced John Fry, Land Development manager for Ryan Homes, and Robert Walsh from Ryan Homes that are familiar with this project. They will discuss solutions they have come up with but they will need the Township Committee's assistance to make them come true.

Mr. Fry and Mr. Walsh talked about the difficulty Ryan Homes is having marketing the

active adult units and would like to convert them back to family units. Mr. Walsh also stated that they had nine homeowners that were unable to obtain a certificate of occupancy for their units and they would like to find a solution to that problem tonight. A discussion ensued with questions from Township Committee members and the Township Administrator. Mr. Walsh asked the Township Committee to indicate that if the Joint Land Use Board approves the change that he be authorized to go to court to seek relief of the phasing schedule.

Committeewoman Kate Fitzpatrick asked what protection the Township would get from them that the seven units would be built in order that NVR/Ryan Homes could obtain their certificates of occupancy. Ms. Fitzpatrick stated that she felt they should be responsible to the residents and suggested posting a bond. A discussion ensued regarding the issuance of certificates of occupancy. The Municipal Clerk, Mrs. Janice Lohr requested that NVR/Ryan Homes be more forthcoming with their customers with the situation and inform them that the certificate of occupancy issue is not with the Township but is their problem.

The Township Planner, Mrs. Fegley summarized the outcome of the discussion:

- (1) modify to allow the age restricted to become non age restricted
- (2) phasing schedule relief
- (3) court approval

Motion by Kate Fitzpatrick, seconded by Ed Devinney that the Township Committee refers to the Joint Land Use Board that Ryan Homes requests the amendment to allow family units instead of age restricted and that the Township Committee has no objection to the Joint Land Use Board amending the approval to allow the release of 9 certificates of occupancy and Ryan Homes posting a bond with the construction of the COAH qualified units in accordance with our Township Engineer's estimate and that COAH counsel is authorized to proceed to obtain the necessary court approval for the amendments.

Roll Call: Devinney, yes; Fitzpatrick, yes; Hinkle, yes; Templeton, no; Ouellette, yes

Ralph McCullough, 308 Buttonwood Street, questioned the upstairs units in regard to fire protection from the Washington Fire Company. A discussion ensued. The Township Solicitor, Mr. Kearns stated that the units have already been approved by the Joint Land Use Board and they are under the current construction code and have to meet those requirements, and clarified that they are not apartments, but are for sale units.

CONSENT AGENDA ITEMS:

("Consent Agenda items are considered to be routine and will be enacted with a single motion. Any item requiring discussion will be removed from the Consent Agenda; all Consent Agenda items will be reflected in full in the minutes.")

CONSENT AGENDA:

ORDINANCE 2008-1

**MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.
40A:4-45.14)**

***1ST READING BY TITLE ONLY AND SET PUBLIC HEARING DATE FOR MARCH 17, 2008**

PAYMENT OF BILLS

<u>ACCOUNT</u>	<u>AMOUNT</u>
GENERAL	\$445,326.83
TRUST	500.00

TREASURER - COUNTY OF BULINGTON \$445,326.81
WILLIAM RUETTER 500.00

APPROVAL OF TERMS OF TOWNSHIP SOLICITOR'S CONTRACT

APPROVAL OF CONSENT AGENDA

Motion by Joan Hinkle, seconded by Ed Devinney to approve the consent agenda.

Roll Call: Devinney, yes; Fitzpatrick, yes; Hinkle, yes; Templeton, yes; Ouellette, yes

MEETING OPEN TO THE PUBLIC

Mayor Ouellette opened the meeting to the public.

MEETING CLOSED TO THE PUBLIC

Since there were no comments or questions from the public, Mayor Ouellette closed the meeting to the public.

CORRESPONDENCE – Municipal Clerk - None

DISCUSSION ITEMS:

1. MANSION UPDATE – Township Administrator – Mr. Steven Corcoran

- mold remediation was supposed to start tomorrow but will begin on Wednesday and should be completed within a week – inspections will be made prior to the release of funding
- will meet with engineers next week to look at various options for the removal of the oil tanks located on the property

Committeewoman Kate Fitzpatrick asked if there was any additional information on the proposal from ALLY – they retained a marketing expert who toured the facility and will make recommendations and suggestions to ALLY

Committeewoman Joan Hinkle asked about the other party that was interested in the Mansion – Mr. Corcoran stated that he has not heard from them – stated she would like to revisit with the Zurbrugg Partnership group

- reported that there was another inquiry from a firm in Wilmington, Delaware and has not received a response from them

Committeeman Mike Templeton suggested that the Township contact a volunteer group or community group to help maintain the grounds at the Zurbrugg Mansion on a weekly basis to lessen the loan on the Public Works Department.

2. CONTINUED DISCUSSION OF PROPOSED ORDINANCE TO LIMIT “TEMPORARY PORTABLE HOME STORAGE CONTAINERS”

A discussion ensued regarding the fee amount for the portable home storage containers.

After a lengthy discussion, the Township Solicitor, Mr. Kearns suggested that he revise the proposed ordinance and distribute to the Township Committee to review and put on the agenda for first reading at the next Township Committee meeting.

3. CONTINUED DISCUSSION OF PROPOSED ORDINANCE TO ESTABLISH STANDARDS FOR DRIVEWAY AND ACCESS POINTS

Committeewoman Kate Fitzpatrick stated that she spoke with the Keith Mohrmann, Fire Chief, and he stated that he would discuss this with the Township Fire Marshall, Randy Johnson.

This discussion will be tabled until the March 17, 2008 Township Committee Meeting. Deputy Mayor Mike Templeton commented that about a year and a half ago there was an effort to get trucks and work vehicles off the streets and it seems this is in conflict with that.

The Township Committee reviewed the recommendations from the Township Engineer, Mr. David Denton, and feel that these should be incorporated into the proposed ordinance. Mr. Corcoran also suggested that they review suggestions and comments from the Township Planner, Mrs. Fegley.

COMMENTS – PROFESSIONALS COMMENTS – TOWNSHIP ADMINISTRATOR Township Administrator – Mr. Steven Corcoran

- fire alarm status – placed order with firm that did installation of fire alarm system – will replace as soon as we receive it
- reported that a state contractor with security glass did some measuring and will get back to us with the costs to change out the sliding glass to a solid piece of security glass
- ongoing project with securing the Public Works yard and the lobby with cameras – will not take action at this time

Committeewoman Kate Fitzpatrick asked the Township Administrator, Mr. Steven Corcoran if he had a chance to talk to our IT Company to find out if the library could key in with our website with a link. Ms. Fitzpatrick also asked Mr. Corcoran to look into a survey process for the school children.

COMMENTS – DEPARTMENT HEADS Township Code Enforcement Officer – Mr. Phillip Goffredo

- month of January – received 22 original complaints – confiscated one sign – posted six warnings on properties for violations – mailed twelve certified letters for violations – issued three summonses – thirteen cases pending – nine closed
- approved one zoning application – one sent to the Joint Land Use Board – approved one fence permit

Municipal Clerk – Mrs. Janice Lohr – Nothing to report

COMMENTS – TOWNSHIP COMMITTEE Joan Hinkle – Nothing to report **Deputy Mayor Mike Templeton** -

- reported that he had submitted an OPRA request to the Burlington County Bridge Commission and the DEP - DEP is working on their request – Bridge Commission supplied half of his request so he resubmitted the records request for the amendment

- received a telephone call from Assemblyman Conaway and there will be a regional meeting of the representatives of the river towns regarding the dredging
- reported that there is pending legislation on the light rail noise submitted by Senator Diane Allen and Assemblyman Herb Conaway
- asked Community to write letters to the elected officials and submit complaints to the Code Enforcement Officer, Mr. Phillip Goffredo regarding the light rail problems
- received a letter dated February 7, 2008 from Matt Johnson from the Burlington County Open Space office regarding the Pennington Land Swap and the Tri-Party Agreement – asked if Delanco Township is still interested in the land swap and is waiting for their response

Kate Fitzpatrick –

- attended the senior meeting where they had a covered dish and Detective Don Nesbitt presented a safety program – next meeting in March; Renee Borstad, Burlington County Director of Consumer Affairs will attend
- attended a special meeting for DYSA and they will move forward with their reorganization
- recognizing Jackie DiCarlo at the Township Committee Meeting on March 3, 2008 – asked all organizations that were involved with Ms. DiCarlo to attend the meeting
- announced that the Easter Egg Hunt is scheduled for March 15, 2008 at West Avenue
- has tickets available for the Flower Show for March 7, 2008
- contacted Chief Parsons about the Delanco Library security and the website

Ed Devinney –

- attended the annual Fire Company/EMS Awards dinner and the theme was Motorcycles - thanked all the volunteers for their time and who selflessly serve the Community

Mayor Ouellette –

- attended the Fire Company/EMS Awards dinner and he had a good time
- attended the NJDOT meeting on safe routes to the school program
- attended the CDBG Community Block Grant Program in Westampton
- attended the budget meeting on Saturday – another budget meeting is scheduled for this Saturday where the Township Auditor will be in attendance to go through the information

ADJOURNMENT

Motion by Joan Hinkle, seconded by Ed Devinney to adjourn the meeting.

Roll Call: Devinney, yes; Fitzpatrick, yes; Hinkle, yes; Templeton, yes; Ouellette, yes

Janice M. Lohr, RMC
Municipal Clerk
February 25, 2008